

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

THOMSON REUTERS ENTERPRISE )  
CENTRE GMBH and WEST PUBLISHING )  
CORPORATION, )  
 )  
 )  
Plaintiffs and ) C.A. No. 20-613 (SB)  
Counterdefendants, )  
 )  
v. ) REDACTED - PUBLIC VERSION  
ROSS INTELLIGENCE INC., ) Original filing date: October 30, 2024  
 ) Redacted filing date: November 6, 2024  
 )  
 )  
Defendant and )  
Counterclaimant. )

**DECLARATION OF MIRANDA D. MEANS IN SUPPORT OF PLAINTIFFS'  
OPPOSITION TO ROSS INTELLIGENCE INC.'S RENEWED MOTION FOR  
SUMMARY JUDGMENT ON ROSS'S AFFIRMATIVE DEFENSE OF FAIR USE**

I, Miranda D. Means, Esq., declare as follows:

1. I am an attorney at the law firm of Kirkland & Ellis LLP, counsel of record for Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH (“Thomson Reuters”) and West Publishing Corporation (“West”) (collectively, “Plaintiffs”). I am admitted and in good standing to practice law in the states of Massachusetts and New York, and I am admitted *pro hac vice* to practice in this District for the above-captioned case. I submit this declaration in support of Plaintiffs’ Opposition to ROSS Intelligence’s Renewed Motion for Summary Judgment on ROSS’s Affirmative Defense on Fair Use. The statements set forth in this declaration are based on my personal knowledge and my review of the contemporaneous documents referenced and attached hereto.

2. Attached hereto as **Exhibit 104** is a true and correct copy of excerpts from the deposition of Khalid Al-Kofahi, taken April 8, 2022.

3. Attached hereto as **Exhibit 105** is a true and correct copy of excerpts from the deposition of Andrew Arruda, taken March 30, 2022.

4. Attached hereto as **Exhibit 106** is a true and correct copy of excerpts from the deposition of Christopher Cahn, taken May 12, 2022.

5. Attached hereto as **Exhibit 107** is a true and correct copy of excerpts from the deposition of Richard A. Leiter, taken October 24, 2022.

6. Attached hereto as **Exhibit 108** is a true and correct copy of excerpts from the deposition of Tariq Hafeez, taken May 26, 2022.

7. Attached hereto as **Exhibit 109** is a true and correct copy of excerpts from the deposition of Isabelle Moulinier, taken July 1, 2022.

8. Attached hereto as **Exhibit 110** is a true and correct copy of excerpts from the deposition of Tomas van der Heijden, taken March 17, 2022.

9. Attached hereto as **Exhibit 111** is a true and correct copy of excerpts from the deposition of Laurie Oliver, taken March 30, 2022.

10. Attached hereto as **Exhibit 112** is a true and correct copy of Schedule 3.1 from the Opening Expert Report of James E. Malackowski, dated August 1, 2022.

11. Attached hereto as **Exhibit 113** is a true and correct copy of the Rebuttal Expert Report of Jonathan L. Krein, dated September 6, 2022.

12. Attached hereto as **Exhibit 114** is a true and correct copy of Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GMBH and West Publishing

Corporation's Third Supplemental Responses and Objections to Defendant and Counterclaimant ROSS Intelligence Inc.'s Interrogatory No. 1, dated August 22, 2022.

13. Attached hereto as **Exhibit 115** is a true and correct copy of a webpage titled "lexis.com Quick Reference Guide," publicly available at [https://www.lexisnexis.com/documents/20110615015922\\_small.pdf?srsltid=AfmBOophRO-ebYlPPWhsb5pIpmb2JKaL4D1optJn3fsbbk5HLDTkaTso](https://www.lexisnexis.com/documents/20110615015922_small.pdf?srsltid=AfmBOophRO-ebYlPPWhsb5pIpmb2JKaL4D1optJn3fsbbk5HLDTkaTso), accessed October 23, 2024.

14. Attached hereto as **Exhibit 116** is a true and correct copy of a webpage titled "The past, present, and future of legal research with generative AI," publicly available at <https://legal.thomsonreuters.com/en/insights/white-papers/helping-the-legal-researcher-feel-confident-they-have-done-enough>, accessed October 23, 2024.

15. Attached hereto as **Exhibit 117** is a true and correct copy of the document produced in this litigation with the beginning Bates LEGALEASE-00115007. This document was produced natively as an Excel file and will be lodged with the Court.

16. Attached hereto as **Exhibit 118** is a true and correct copy of the document produced in this litigation with the beginning Bates MORAE\_00003801. This document was produced natively as an Excel file and will be lodged with the Court.

17. Attached hereto as **Exhibit 119** is a true and correct copy of the document produced in this litigation with the beginning Bates MORAE\_00005079. This document was produced natively as an Excel file and will be lodged with the Court.

18. Attached hereto as **Exhibit 120** is a true and correct copy of the document produced in this litigation with the beginning Bates MORAE\_00013863. This document was produced natively as an Excel file and will be lodged with the Court.

19. Attached hereto as **Exhibit 121** is a true and correct copy of the document produced in this litigation with the beginning Bates MORAE\_00014068. This document was produced natively as an Excel file and will be lodged with the Court.

20. Attached hereto as **Exhibit 122** is a true and correct copy of the document produced in this litigation with the beginning Bates MORAE\_00015344. This document was produced natively as an Excel file and will be lodged with the Court.

21. Attached hereto as **Exhibit 123** is a true and correct copy of the document produced in this litigation with the beginning Bates MORAE\_00029239. This document was produced natively as an Excel file and will be lodged with the Court.

22. Attached hereto as **Exhibit 124** is a true and correct copy of the document produced in this litigation with the beginning Bates MORAE\_00043660. This document was produced natively as an Excel file and will be lodged with the Court.

23. Attached hereto as **Exhibit 125** is a true and correct copy of the document produced in this litigation with the beginning Bates MORAE\_00045427. This document was produced natively as an Excel file and will be lodged with the Court.

24. Attached hereto as **Exhibit 126** is a true and correct copy of the document produced in this litigation with the beginning Bates MORAE\_00002386.

25. Attached hereto as **Exhibit 127** is a true and correct copy of the document produced in this litigation with the beginning Bates MORAE\_00024103.

26. Attached hereto as **Exhibit 128** is a true and correct copy of the document produced in this litigation with the beginning Bates MORAE\_00030512.

27. Attached hereto as **Exhibit 129** is a true and correct copy of the document produced in this litigation with the beginning Bates MORAE\_00092628.

28. Attached hereto as **Exhibit 130** is a true and correct copy of the document produced in this litigation with the beginning Bates MORAE\_00092629.

29. Attached hereto as **Exhibit 131** is a true and correct copy of the document produced in this litigation with the beginning Bates R-Legalease-00028693.

30. Attached hereto as **Exhibit 132** is a true and correct copy of the document produced in this litigation with the beginning Bates R-Legalease-00067463.

31. Attached hereto as **Exhibit 133** is a true and correct copy of the document produced in this litigation with the beginning Bates TRCC-00686613.

32. Attached hereto as **Exhibit 134** is a true and correct copy of the document produced in this litigation with the beginning Bates ROSS-003275752.

33. Attached hereto as **Exhibit 135** is a true and correct copy of the document produced in this litigation with the beginning Bates TR-0433738.

34. Attached hereto as **Exhibit 136** is a true and correct copy of the document produced in this litigation with the beginning Bates ROSS-009558441.

35. Attached hereto as **Exhibit 137** is a true and correct copy of the document produced in this litigation with the beginning Bates TR-0039857.

36. Attached hereto as **Exhibit 138** is a true and correct copy of a webpage titled "What is image compression?," publicly available at <https://www.cloudflare.com/learning/performance/glossary/what-is-image-compression/>, accessed October 30, 2024.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 30th day of October, 2024.



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Miranda D. Means

**CERTIFICATE OF SERVICE**

I hereby certify that on October 30, 2024, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on October 30, 2024, upon the following in the manner indicated:

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*/s/ Michael J. Flynn*

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Michael J. Flynn (#5333)